



State of Utah

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Department of
Environmental Quality

Alan Matheson
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DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Rob Hartman, P.G.
Environmental Manager
US Magnesium, LLC
238 North 2200 West
Salt Lake City, Utah 84116

Dear Mr. Hartman:

Subject: **Construction Permit** for the Retrofitted Waste Pond Phase 1 – Embankment Construction

On March 4, 2020, the Division of Water Quality (DWQ) received a document entitled Retrofitted Waste Pond Phase 1 Basis of Design Report – US Magnesium Facility Revision C. This report was prepared by Stantec Consulting Services Inc. and stamped by Chad Tomlinson, PE. The report contained the engineering plans, specifications, and construction quality assurance plan (CQAP) for the Retrofitted Waste Pond Phase 1 – Embankment Construction. The documents were also signed by Thomas Kelley, PE and Susan Eyzaguirre, PE, PG, PMP (Stantec) all of which are Utah Certified Professional Engineers (PE)

The following is a summary of the proposed major construction projects for this Construction Permit:

- Construction of the Embankment for Phase 1.

The plans and specifications, as submitted, comply with *the Utah Water Quality Rules, (R317, Utah Administrative Code)*. A **Construction Permit** is hereby issued as constituted by this letter, subject to the following conditions:

1. *Any revisions or modifications to the approved plans and specifications must be submitted to DWQ for review and approval, before construction or implementation thereof. Please submit any changes for review and approval directly to Woodrow Campbell, P.E., of the DWQ Ground Water Protection Section.*
2. *A written operations and maintenance manual, containing a description of the functioning of the facilities, an outline of routine maintenance procedures, and all checklists and maintenance logs needed for proper operation of the system, must be submitted and approved before the final inspection and operation of the system.*
3. *The approved facilities must not be placed in service unless DWQ has conducted a final inspection, reviewed and approved the As-Built Construction Certification Report, and provided written authorization to place the constructed facilities in service.*

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The plans and specifications for this project have been stamped and signed by a Professional Engineer currently licensed to practice in the state of Utah. The construction design, inspection supervision, and written construction certification of all work associated with this Construction Permit must be performed by a Professional Engineer licensed to practice in the state of Utah.

This Construction Permit will expire one year from the date of its issuance, as evidenced by the date of this letter, unless substantial progress is made in constructing the approved facilities or the plans and specifications have been resubmitted and the construction permit is reissued. This permit does not relieve you, in any way, of your obligations to comply with other applicable local requirements.

Please contact Mr. Campbell at the beginning of construction to allow periodic inspections to be scheduled. Upon completion of the project, a final inspection and approval of the As-Built Construction Certification Report is required before the approval to operate the completed facilities can be issued. Please remain in contact with Mr. Campbell to schedule the final inspection. The Construction Certification Report with final as-built drawings must include test results for the following construction quality assurance and quality control (CQA/QC) elements:

Soil Placement

- Proctor Curves,
- Soil Classification, and
- Field Compaction Testing,

If we can be of further assistance, please contact Mr. Woodrow Campbell at wwcampbell@utah.gov or (801) 536-4353.

Sincerely,

Erica Brown Gaddis, PhD
Director

EBG/WWC/DJH

cc: Bryan Slade, Tooele County Health Department (via email, w/o encl.)
Susan Eysaguirre, Stantec susan.eyzaguirre@stantec.com (via email, w/o encl.)
Chad Tomlinson, Stantec chad.tomlinson@stantec.com (via email, w/o encl.)
Michael Stork, DERR (via email, w/o encl.)